

Message Text

PAGE 01 NATO 05670 201402Z
ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 PM-04 H-02 INR-07 L-03
NSAE-00 NSC-05 PA-02 PRS-01 SP-02 SS-15 USIA-15
ACDA-10 TRSE-00 EB-07 ABF-01 OMB-01 /088 W
-----011984 201810Z /44

R 201352Z JUN 7
FM USMISSION NATO
TO SECSTATE WASHDC 4302
SECDEF WASHDC
INFO USDOCOCENT BRUNSSUM NL
AMEMBASSY LONDON
USNMR SHAPE BE
AMEMBASSY THE HAGUE
USCINCEUR VAIHINGEN GER

UNCLAS NATO 05670

E.O. 11652: N/A
TAGS: MARR NATO
SUBJECT: NETHERLANDS WATER POLLUTION TAXES ON AFCENT -
AGENDA FOR AD HOC COMMITTEE ON TAX EXEMPTION

REFS: (A) USNATO 4677, 032033Z JUNE 77, (B) STATE
125557, 312352Z MAY 77

1. REF A ADVISED OF COUNCIL DECISION TO FORM AN AD HOC
WORKING GROUP OF NATIONAL EXPERTS (TO BE NOMINATED BY
DELEGATIONS) TO CONSIDER THE ISSUES RAISED BY THE
NETHERLANDS GOVERNMENT'S IMPOSITION OF A WATER
POLLUTION TAX UPON AFCENT HQS AND NATIONAL CIVILIAN/
MILITARY PERSONNEL DOMICILED WITHIN THE NETHERLANDS.
AGENDA FOR FIRST AD HOC COMMITTEE MEETING (AC/304-A/1),
TO BE HELD AT NATO HQS ON MONDAY, 11 JULY 1977, AT 3 P.M.,
IS REPRODUCED BELOW:

BEGIN TEXT:

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PAGE 02 NATO 05670 201402Z

I. ELECTION OF THE CHAIRMAN

II. TERMS OF REFERENCE OF THE COMMITTEE

- DOCUMENT: C-R(77)24, ITEM II
- REFERENCES: PO/77/67, 28 APR 77
- PO / /77/43, 22 MAR 77

III. PRELIMINARY EXCHANGE OF VIEWS - PROCEDURE

END TEXT.

2. WE UNDERSTAND THE NETHERLANDS IS PREPARED TO SEND LEADING AUTHORITIES ON INTERNATIONAL LAW TO AD HOC SESSIONS WITH THE FULL INTENTION OF CONSIDERING A BROAD RANGE OF COMPLEX ISSUES INVOLVING TAXATION AND EXEMPTION. WE WILL ARGUE THAT THE AD HOC COMMITTEE SHOULD CONFINE DISCUSSION SOLELY TO CLARIFICATION OF ARTICLES 10 OF THE AGREEMENT ON THE STATUS OF FORCES (LONDON 1951) AND 8 OF THE PROTOCOL ON THE STATUS OF HEADQUARTERS (PARIS 1952). IF OTHERS INSIST ON BROADER REVIEW, WE WILL IN TURN INSIST THAT IT BE SEPARATED FROM THE PRESENT ISSUE.

3. REF B, ON ASSUMPTION THAT THE TAX ISSUE WOULD CONTINUE TO BE DISCUSSED IN THE MILITARY BUDGET COMMITTEE (MBC), OFFERED TO SEND NATIONAL EXPERT TO "ATTEND MBC MEETING WHEN TAX ISSUES ARE DISCUSSED". SINCE THE FIRST AD HOC COMMITTEE MEETING WILL BE ESSENTIALLY PROCEDURAL, WE SEE NO NEED FOR PRESENCE OF A US LEGAL EXPERT AT THIS MEETING. IT NOW APPEARS THERE MAY BE A SERIES OF UNCLASSIFIED

PAGE 03 NATO 05670 201402Z

FOLLOW-ON DISCUSSIONS ON PROCEDURE, AND WE BELIEVE IT MIGHT BE MORE PRACTICAL DURING THESE DISCUSSIONS TO DRAW LEGAL SUPPORT FROM EUCOM OR THE COMPONENT COMMANDS, IF THEY HAVE THE REQUISITE LEGAL EXPERTISE AVAILABLE. WE WOULD HOPE, HOWEVER, THAT WE MIGHT TAKE ADVANTAGE OF THE OFFER IN REF B WHEN THE DISCUSSIONS DEAL WITH MAJOR SUBSTANCE.

4. ACTION REQUESTED: WASHINGTON VIEWS.

5. FOR EUCOM: WOULD APPRECIATE YOUR VIEWS ON AVAILABILITY OF A QUALIFIED LEGAL EXPERT TO ASSIST US. STREATOR

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<< END OF DOCUMENT >>

Message Attributes

Automatic Decaptioning: X
Capture Date: 30-Aug-1999 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Sent Date: 20-Jun-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977NATO05670
Document Source: ADS
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: n/a
Expiration:
Film Number: n/a
Format: TEL
From: NATO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t197706108/baaabджа.тел
Line Count: 98
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE
Message ID: 30139e73-c288-dd11-92da-001cc4696bcc
Office: ACTION EUR
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: (A) USNATO 4677, 032033Z JUNE 77, (B) STATE 125557, 312352Z MAY 77 1. REF A ADVISED OF COUNCIL DECISION TO FORM AN AD HOC WORKING GROUP OF NATIONAL EXPERTS (TO BE NOMINATED BY DELEGATIONS) TO CONSIDER THE ISSUES RAISED BY THE NETHERLANDS GOVERNMENT'S IMPOSITION OF A WATER
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 29-Dec-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2010097
Secure: OPEN
Status: NATIVE
Subject: NETHERLANDS WATER POLLUTION TAXES ON AFCENT - AGENDA FOR AD HOC COMMITTEE ON TAX EXEMPTION
TAGS: MARR NATO
To: STATE SECDEF MULTIPLE
Type: TE
vdkgwkey: odbc://SAS/SAS.dbo.SAS_Docs/30139e73-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

